

Chief Clerk of the House

By

Harner

FILED MAR 09 1999

HJ.R. No. 71

A JOINT RESOLUTION

1 proposing a constitutional amendment to provide for the number of
2 precincts that certain counties must create for justices of the
3 peace and constables.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 18(a), Article V, Texas Constitution, is
6 amended to read as follows:

7 (a) Each county in the State with a population of 50,000
8 [~~30,000~~] or more, according to the most recent federal census, from
9 time to time, for the convenience of the people, shall be divided
10 into not less than four and not more than eight precincts. Each
11 county in the State with a population of 18,000 or more but less
12 than 50,000 [~~30,000~~], according to the most recent federal census,
13 from time to time, for the convenience of the people, shall be
14 divided into not less than two and not more than eight [~~five~~]
15 precincts. Each county in the State with a population of less than
16 18,000, according to the most recent federal census, from time to
17 time, for the convenience of the people, shall be designated as a
18 single precinct or, if the Commissioners Court determines that the
19 county needs more than one precinct, shall be divided into not more
20 than four precincts. Notwithstanding the population requirements
21 of this subsection, Chambers County, from time to time, for the
22 convenience of the people, shall be divided into not less than two
23 and not more than six precincts. A division or designation under
24 this subsection shall be made by the Commissioners Court provided

1 for by this Constitution. Except as provided by [Subsection--(e)
2 of] this section, in each such precinct there shall be elected one
3 Justice of the Peace and one Constable, each of whom shall hold his
4 office for four years and until his successor shall be elected and
5 qualified; provided that in a county with a population of less than
6 150,000, according to the most recent federal census, in any
7 precinct in which there may be a city of 18,000 or more
8 inhabitants, there shall be elected two Justices of the Peace, and
9 in a county with a population of 150,000 or more, according to the
10 most recent federal census, each precinct may contain more than one
11 Justice of the Peace Court.

12 SECTION 2. This proposed constitutional amendment shall be
13 submitted to the voters at an election to be held November 2, 1999.
14 The ballot shall be printed to permit voting for or against the
15 proposition: "The constitutional amendment to provide that a county
16 with a population of 18,000 or more but less than 50,000 must be
17 divided into two to eight precincts for justices of the peace and
18 constables."

99 APR 20 11 51 AM

HOUSE COMMITTEE REPORT

1st Printing

By Homer, Lengefeld, Gallego, Keffer

H.J.R. No. 71

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2 precincts that certain counties must create for justices of the
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6 amended to read as follows:

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8 ~~[30,000]~~ or more, according to the most recent federal census, from
9 time to time, for the convenience of the people, shall be divided
10 into not less than four and not more than eight precincts. Each
11 county in the State with a population of 18,000 or more but less
12 than 50,000 ~~[30,000]~~, according to the most recent federal census,
13 from time to time, for the convenience of the people, shall be
14 divided into not less than two and not more than eight ~~[five]~~
15 precincts. Each county in the State with a population of less than
16 18,000, according to the most recent federal census, from time to
17 time, for the convenience of the people, shall be designated as a
18 single precinct or, if the Commissioners Court determines that the
19 county needs more than one precinct, shall be divided into not more
20 than four precincts. Notwithstanding the population requirements
21 of this subsection, Chambers County, from time to time, for the
22 convenience of the people, shall be divided into not less than two
23 and not more than six precincts. A division or designation under
24 this subsection shall be made by the Commissioners Court provided

1 for by this Constitution. Except as provided by [~~Subsection--(e)~~
2 of] this section, in each such precinct there shall be elected one
3 Justice of the Peace and one Constable, each of whom shall hold his
4 office for four years and until his successor shall be elected and
5 qualified; provided that in a county with a population of less than
6 150,000, according to the most recent federal census, in any
7 precinct in which there may be a city of 18,000 or more
8 inhabitants, there shall be elected two Justices of the Peace, and
9 in a county with a population of 150,000 or more, according to the
10 most recent federal census, each precinct may contain more than one
11 Justice of the Peace Court.

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13 submitted to the voters at an election to be held November 2, 1999.
14 The ballot shall be printed to permit voting for or against the
15 proposition: "The constitutional amendment to provide that a county
16 with a population of 18,000 or more but less than 50,000 must be
17 divided into two to eight precincts for justices of the peace and
18 constables."

H.J.R. No. 71

COMMITTEE AMENDMENT NO. 1

H.J.R. 71 is amended by adding the following language at the end of Section 1 of the joint resolution: Notwithstanding the population requirements of this subsection, any county that is divided into four or more precincts on November 2, 1999, shall continue to be divided into not less than four precincts.

Swinford

COMMITTEE REPORT

The Honorable James E. "Pete" Laney
Speaker of the House of Representatives

4-14-99
(date)

Sir:

We, your COMMITTEE ON COUNTY AFFAIRS
to whom was referred HJR 71 have had the same under consideration and beg to report
back with the recommendation that it

() do pass, without amendment.
(✓) do pass, with amendment(s).
() do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
(✓) yes () no A fiscal note was requested.
() yes (✓) no A criminal justice policy impact statement was requested.
() yes (✓) no An equalized educational funding impact statement was requested.
() yes (✓) no An actuarial analysis was requested.
() yes (✓) no A water development policy impact statement was requested.
() yes (✓) no A tax equity note was requested.
() The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

Joint Sponsors: _____ / _____ / _____

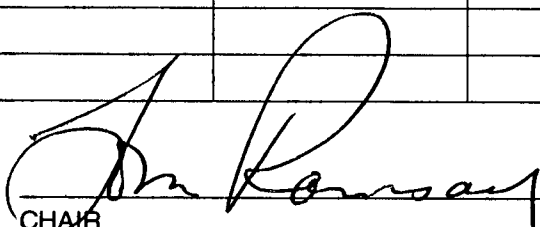
Co-Sponsors: _____


The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Ramsay, Chair	✓			
Lewis, G., Vice-chair	✓			
Brown, B.	✓			
Chisum	✓			
Farabee	✓			
Hilderbran				✓
Krusee				✓
Salinas				✓
Swinford	✓			

Total

6 aye
0 nay
0 present, not voting
3 absent


CHAIR



BILL ANALYSIS

Office of House Bill Analysis

H.J.R. 71
By: Homer
County Affairs
4/16/1999
Committee Report (Amended)

BACKGROUND AND PURPOSE

The Texas Constitution specifies three population categories which determine the minimum and maximum number of county justice of the peace precincts (precinct), with an exception for Chambers County. The upcoming census will require at least three counties to move into a higher category and will require one county to double its number of current precincts. These counties are rural and geographically small and doubling the numbers of precincts may create a financial burden on their budgets or cause the unnecessary duplication of current services. As proposed, H.J.R. 71 requires the submission to the voters of a constitutional amendment raising the amount of population needed to create additional precincts.

RULEMAKING AUTHORITY

It is the opinion of the Office of House Bill Analysis that this bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 18(a), Article V, Texas Constitution, to require each county in the state with a population of 50,000, rather than 30,000, or more, according to the most recent federal census, from time to time, for the convenience of the people, to be divided into not less than four and not more than eight precincts. Requires each county in the state with a population of 18,000 or more but less than 50,000, rather than 30,000, according to the most recent federal census, from time to time, for the convenience of the people, to be divided into not less than two and not more than eight, rather than five, precincts. Deletes Subsection (e) as the exception to the requirement that for each such precinct there be elected one Justice of the Peace and one Constable, each of whom are required to hold office for four years and until a successor is elected and qualified in certain counties.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 2, 1999. Sets forth the required language for the ballot.

EXPLANATION OF AMENDMENTS

Amendment #1

Amends Section 18(a), Article V, Texas Constitution in SECTION 1, to require any county that is divided into four or more precincts on November 2, 1999, to continue to be divided into no less than four precincts, notwithstanding the population requirements of this subsection.

SUMMARY OF COMMITTEE ACTION

HJR 71

April 7, 1999 8:00AM or upon adjournment
Considered in public hearing
Testimony taken in committee
Left pending in committee

April 14, 1999 8:00AM or upon adjournment
Considered in public hearing
Amendment(s) considered in committee
Reported favorably as amended

WITNESS LIST

HJR 71
HOUSE COMMITTEE REPORT
County Affairs Committee

April 7, 1999 - 8:00AM

For: Allison, Jim (County Judges & Commissioners Association
of Texas)
Millsap, Cletis (Hopkins County Commissioner Court)
Wisembaker, Beth (Self and Fellow Commissioners of
Hopkins County)

Against: Baker, Rex (Justices of the Peace & Constables
Association of Texas)
Ott, Patricia (Central Texas Justices of the Peace &
Constables Association, Inc.)

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 15, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 71 by Homer (Proposing a constitutional amendment to provide for the number of precincts that certain counties must create for justices of the peace and constables.),
Committee Report 1st House, as amended

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

The bill would allow a county with a population between 30,000 and 50,000 to have between two and eight precincts. The bill would also allow a county with a population between 18,000 and 30,000 to have as many as eight precincts, rather than the current maximum of five precincts.

A county adding precincts could incur costs, depending on the number of precincts added. Costs associated with maintaining a precinct are related to justice of the peace, constable and staff salaries. The average cost of maintaining a precinct is estimated at approximately \$200,000 per year, according to the Texas Association of Counties.

Source Agencies:

LBB Staff: JK, TL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 5, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 71 by Homer (Proposing a constitutional amendment to provide for the number of precincts that certain counties must create for justices of the peace and constables.), **As Introduced**

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A county reducing the number of precincts could experience costs savings, depending on the number of precincts eliminated, while a county adding precincts could incur costs, depending on the number of precincts added. Costs associated with maintaining a precinct are related to justice of the peace, constable and staff salaries. The average cost of maintaining a precinct is estimated at approximately \$200,000 per year, according to the Texas Association of Counties.

Source Agencies:

LBB Staff: JK, TL

LIST OF HOUSE AMENDMENTS CONSIDERED TODAY

HJR71-Second Reading

<u>AMENDMENT#</u>	<u>AUTHOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
1	Swinford	Comm Amdt	Adopted
2	Turner, S.	Amdt to Amdt	Adopted
3	Smithee	Amendment	Adopted
4	Chisum	Amendment	Point of Order



HB ADOPTED *uc Qm*
APR 29 1999 as amended
Sharon Carter
Chief Clerk
House of Representatives

FLOOR AMENDMENT NO. 1
H.J.R. 71

Committee Amendment No. 1 By: Swintford

1 H.J. R. 71 is amended by adding the following language at the end of Section 1 of the Joint
2 Resolution:

3 Notwithstanding the population requirements of this subsection, any county that is divided into
and # 2 4 four or more precincts on November 2, 1999, ^{may} ~~shall~~ continue to be divided into not less than four
5 precincts.

↑
(((INSERT A)))



ADOPTED

APR 29 1999

Sharon Carter
Chief Clerk
House of Representatives

HC
CK

Jim

FLOOR AMENDMENT NO. 2

BY S. Sumner

(as printed)

- 1 ✓ Amend Committee Amendment No. 1 to H.J.R. No. 71, on page 3,
- 2 line 5, strike "shall" and substitute "may"

(house committee report printing,



HB
ADOPTED
APR 29 1999 *uc*
Sharon Carter
Chief Clerk
House of Representatives
mnp
Jim

FLOOR AMENDMENT NO. 3

BY *Amber*

1 Amend H.J.R. No. 71 as follows:

2 (1) on page 1, line 21, strike "Chambers County," and
3 substitute "Chambers County and Randall County," *- must type*

4 (2) on page 2, strike the quoted sentence beginning on line
5 15 and substitute the following:

6 "The constitutional amendment ~~that~~ ^{to} provides that certain counties
7 shall be divided into a specific number of precincts."

((INSERT B))

*stored
KC/21C*

((INSERT C))

HOUSE ENGROSSMENT

By Homer, Lengefeld, Gallego, Keffer

H.J.R. No. 71

A JOINT RESOLUTION

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2 precincts that certain counties must create for justices of the
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6 amended to read as follows:

7 (a) Each county in the State with a population of 50,000
8 [~~30,000~~] or more, according to the most recent federal census, from
9 time to time, for the convenience of the people, shall be divided
10 into not less than four and not more than eight precincts. Each
11 county in the State with a population of 18,000 or more but less
12 than 50,000 [~~30,000~~], according to the most recent federal census,
13 from time to time, for the convenience of the people, shall be
14 divided into not less than two and not more than eight [~~five~~]
15 precincts. Each county in the State with a population of less than
16 18,000, according to the most recent federal census, from time to
17 time, for the convenience of the people, shall be designated as a
18 single precinct or, if the Commissioners Court determines that the
19 county needs more than one precinct, shall be divided into not more
20 than four precincts. Notwithstanding the population requirements
21 of this subsection, Chambers County and Randall County, from time
22 to time, for the convenience of the people, shall be divided into
23 not less than two and not more than six precincts. A division or
24 designation under this subsection shall be made by the

1 Commissioners Court provided for by this Constitution. Except as
2 provided by [Subsection-(e)-of] this section, in each such precinct
3 there shall be elected one Justice of the Peace and one Constable,
4 each of whom shall hold his office for four years and until his
5 successor shall be elected and qualified; provided that in a county
6 with a population of less than 150,000, according to the most
7 recent federal census, in any precinct in which there may be a city
8 of 18,000 or more inhabitants, there shall be elected two Justices
9 of the Peace, and in a county with a population of 150,000 or more,
10 according to the most recent federal census, each precinct may
11 contain more than one Justice of the Peace Court. Notwithstanding
12 the population requirements of this subsection, any county that is
13 divided into four or more precincts on November 2, 1999, may
14 continue to be divided into not less than four precincts.

15 SECTION 2. This proposed constitutional amendment shall be
16 submitted to the voters at an election to be held November 2, 1999.
17 The ballot shall be printed to permit voting for or against the
18 proposition: "The constitutional amendment to provide that certain
19 counties shall be divided into a specific number of precincts."

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 15, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 71 by Homer (Proposing a constitutional amendment to provide for the number of precincts that certain counties must create for justices of the peace and constables.),
Committee Report 1st House, as amended

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

The bill would allow a county with a population between 30,000 and 50,000 to have between two and eight precincts. The bill would also allow a county with a population between 18,000 and 30,000 to have as many as eight precincts, rather than the current maximum of five precincts.

A county adding precincts could incur costs, depending on the number of precincts added. Costs associated with maintaining a precinct are related to justice of the peace, constable and staff salaries. The average cost of maintaining a precinct is estimated at approximately \$200,000 per year, according to the Texas Association of Counties.

Source Agencies:

LBB Staff: JK, TL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 5, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 71 by Homer (Proposing a constitutional amendment to provide for the number of precincts that certain counties must create for justices of the peace and constables.), As Introduced

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Source Agencies:

LBB Staff: JK, TL

1-1 By: Homer, et al. (Senate Sponsor - Ratliff) H.J.R. No. 71
1-2 (In the Senate - Received from the House April 30, 1999;
1-3 May 3, 1999, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 14, 1999, reported favorably, as
1-5 amended, by the following vote: Yeas 3, Nays 1; May 14, 1999, sent
1-6 to printer.)

1-7 COMMITTEE AMENDMENT NO. 1 By: Madla

1-8 Amend H.J.R. 71 as follows:

1-9 On page 1, line 47, strike "may" and substitute "shall".

1-10 HOUSE JOINT RESOLUTION

1-11 proposing a constitutional amendment to provide for the number of
1-12 precincts that certain counties must create for justices of the
1-13 peace and constables.

1-14 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. Section 18(a), Article V, Texas Constitution, is
1-16 amended to read as follows:

1-17 (a) Each county in the State with a population of 50,000
1-18 [~~30,000~~] or more, according to the most recent federal census, from
1-19 time to time, for the convenience of the people, shall be divided
1-20 into not less than four and not more than eight precincts. Each
1-21 county in the State with a population of 18,000 or more but less
1-22 than 50,000 [~~30,000~~], according to the most recent federal census,
1-23 from time to time, for the convenience of the people, shall be
1-24 divided into not less than two and not more than eight [~~five~~]
1-25 precincts. Each county in the State with a population of less than
1-26 18,000, according to the most recent federal census, from time to
1-27 time, for the convenience of the people, shall be designated as a
1-28 single precinct or, if the Commissioners Court determines that the
1-29 county needs more than one precinct, shall be divided into not more
1-30 than four precincts. Notwithstanding the population requirements
1-31 of this subsection, Chambers County and Randall County, from time
1-32 to time, for the convenience of the people, shall be divided into
1-33 not less than two and not more than six precincts. A division or
1-34 designation under this subsection shall be made by the
1-35 Commissioners Court provided for by this Constitution. Except as
1-36 provided by [~~Subsection-(e)-of~~] this section, in each such precinct
1-37 there shall be elected one Justice of the Peace and one Constable,
1-38 each of whom shall hold his office for four years and until his
1-39 successor shall be elected and qualified; provided that in a county
1-40 with a population of less than 150,000, according to the most
1-41 recent federal census, in any precinct in which there may be a city
1-42 of 18,000 or more inhabitants, there shall be elected two Justices
1-43 of the Peace, and in a county with a population of 150,000 or more,
1-44 according to the most recent federal census, each precinct may
1-45 contain more than one Justice of the Peace Court. Notwithstanding
1-46 the population requirements of this subsection, any county that is
1-47 divided into four or more precincts on November 2, 1999, may
1-48 continue to be divided into not less than four precincts.

1-49 SECTION 2. This proposed constitutional amendment shall be
1-50 submitted to the voters at an election to be held November 2, 1999.
1-51 The ballot shall be printed to permit voting for or against the
1-52 proposition: "The constitutional amendment to provide that certain
1-53 counties shall be divided into a specific number of precincts."

1-54 * * * * *

**FAVORABLY AS AMENDED
SENATE COMMITTEE REPORT ON**

SB SCR SJR SR HB HCR HJR 71
By Homer / Ratliff
(Author/Senate Sponsor)
5-14-99
(date)

Sir:

We, your Committee on INTERGOVERNMENTAL RELATIONS, to which was referred the attached measure, have on 5-13-99, had the same under consideration and I am instructed to report it back with the recommendation (s) that it:

- ☒ do pass with 1 amendments, and be printed
☐ do pass with _____ amendments, and be ordered not printed
☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☒ yes ☐ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Frank Madla, Chairman	<input checked="" type="checkbox"/>			
Senator Jon Lindsay, Vice-Chairman	<input checked="" type="checkbox"/>			
Senator Rodney Ellis			<input checked="" type="checkbox"/>	
Senator Mike Moncrief	<input checked="" type="checkbox"/>			
Senator Drew Nixon		<input checked="" type="checkbox"/>		
TOTAL VOTES	<u>3</u>	<u>1</u>	<u>1</u>	<u>0</u>

COMMITTEE ACTION

S260 Considered in public hearing
S270 Testimony taken

Willy Stephens
COMMITTEE CLERK

Frank Madla
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill along with THREE signed copies of each committee amendment adopted
Retain one copy of this form for Committee files

WITNESS LIST

HJR 71
SENATE COMMITTEE REPORT
Intergovernmental Relations Committee

May 13, 1999 - 11:00A

For: Adams, Steve (Commissioner, Brown Co.), Brownwood
Allison, Jim (General Counsel, Co. Judges & Commissioners
Assoc.), Austin

Against: Ott, Patricia (Judge, Central TX Justices of the Peace &
Constables Assoc. TX), Round Rock

Prindle, Sandy (Judge, Justice of the Peace and Constable
Assoc.), West

Warndorf, Donna (Research Analyst, Justices of the Peace &
Constables Assoc. TX), Austin

Registering, but not testifying:

For: Millsap, Cletis (County Judge, Hopkins Co.), Sulpher Springs
Wisembaker, Beth (County Commissioner, Hopkins Co.), Sulpher
Springs

Against: Elfant, Bruce (Constable, Justices of the Peace & Constables
Assoc.), Austin

Freeman, Gary (Justice of the Peace & Constable Assoc. of TX),
Pasadena

Hilger, Zane (Constable, Justice of the Peace & Constables
Assoc.), Hurst

Kunkle, Jerry (Constable, J.P.C.A. Chairman), West

Lopez, Carlos (Chief Deputy, Travis Co. Constable), Austin

Medrano, Rocky (Travis Co. Constable #4), Austin

Reeves, Billy (Constable, First VP JPCA of TX, Inc.), Buda

Skinner, Roma (Constable, Dallas Co. Constable Pct. 5), Grand
Prairie

Vann, Bob (Constable, Central TX JP & Constable Assoc.), Austin

BILL ANALYSIS

Senate Research Center

H.J.R. 71
By: Homer (Ratliff)
Intergovernmental Relations
5/14/1999
Committee Report (Amended)

DIGEST

Currently, the Texas Constitution specifies three population categories which determine the minimum and maximum number of county justice of the peace precincts (precinct), with an exception for Chambers County. The upcoming census will require at least three counties to move into a higher category and will require one county to double its number of current precincts. These counties are rural and geographically small and doubling the numbers of precincts may create a financial burden on their budgets or cause unnecessary duplication of current services. H.J.R. 71 would require the submission to the voters of a constitutional amendment raising the population needed to create additional precincts.

PURPOSE

As proposed, H.J.R. 71 requires the submission to the voters of a constitutional amendment raising the population needed to create additional precincts.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 18(a), Article V, Texas Constitution, to require each county in the state with a population of 50,000 or more, rather than 30,000 or more, to be divided into not less than four and not more than eight precincts. Requires each county in the state with a population of 18,000 or more but less than 50,000, rather than 30,000, to be divided into not less than two and not more than eight, rather than five, precincts. Requires Randall County, notwithstanding the population requirements of this subsection, to be divided into not less than two and not more than six precincts. Requires any county that is divided into four or more precincts on November 2, 1990, to continue to be divided into not less than four precincts, notwithstanding the population requirements of this subsection. Makes a nonsubstantive change.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 2, 1999. Sets forth the required language of the ballot.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 13, 1999

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 71 by Homer (Proposing a constitutional amendment to provide for the number of precincts that certain counties must create for justices of the peace and constables.),
Committee Report 2nd House, as amended

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

The bill would allow a county with a population between 30,000 and 50,000 to have between two and eight precincts, and it would allow a county with a population between 18,000 and 30,000 to have as many as eight precincts, rather than the current maximum of five precincts. The bill would limit Randall County to a maximum of six precincts, as opposed to eight precincts under current law.

A county adding precincts could incur costs depending on the number of precincts added. Costs associated with maintaining a precinct are related to justice of the peace, constable and staff salaries. The average cost of maintaining a precinct is estimated at approximately \$200,000 per year, according to the Texas Association of Counties.

Source Agencies:

LBB Staff: JK, TL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 11, 1999

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 71 by Homer (Proposing a constitutional amendment to provide for the number of precincts that certain counties must create for justices of the peace and constables.), As Engrossed

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

The bill would allow a county with a population between 30,000 and 50,000 to have between two and eight precincts, and it would allow a county with a population between 18,000 and 30,000 to have as many as eight precincts, rather than the current maximum of five precincts. The bill also prescribes that Randall County would have between two and six precincts, as opposed to the range of four to eight precincts under current law.

A county adding or reducing the number of precincts could incur costs or savings, depending on the number of precincts added or removed. Costs associated with maintaining a precinct are related to justice of the peace, constable and staff salaries. The average cost of maintaining a precinct is estimated at approximately \$200,000 per year, according to the Texas Association of Counties.

Source Agencies:

LBB Staff: JK, TL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 15, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 71 by Homer (Proposing a constitutional amendment to provide for the number of precincts that certain counties must create for justices of the peace and constables.),
Committee Report 1st House, as amended

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

The bill would allow a county with a population between 30,000 and 50,000 to have between two and eight precincts. The bill would also allow a county with a population between 18,000 and 30,000 to have as many as eight precincts, rather than the current maximum of five precincts.

A county adding precincts could incur costs, depending on the number of precincts added. Costs associated with maintaining a precinct are related to justice of the peace, constable and staff salaries. The average cost of maintaining a precinct is estimated at approximately \$200,000 per year, according to the Texas Association of Counties.

Source Agencies:

LBB Staff: JK, TL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 5, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 71 by Homer (Proposing a constitutional amendment to provide for the number of precincts that certain counties must create for justices of the peace and constables.), **As Introduced**

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

The bill would allow a county with a population between 30,000 and 50,000 to have between two and eight precincts, rather than the current minimum of four precincts. The bill would also allow a county with a population between 18,000 and 30,000 to have as many as eight precincts, rather than the current maximum of five precincts.

A county reducing the number of precincts could experience costs savings, depending on the number of precincts eliminated, while a county adding precincts could incur costs, depending on the number of precincts added. Costs associated with maintaining a precinct are related to justice of the peace, constable and staff salaries. The average cost of maintaining a precinct is estimated at approximately \$200,000 per year, according to the Texas Association of Counties.

Source Agencies:

LBB Staff: JK, TL

ADOPTED

MAY 18 1999

MLV *Letty Ling*
Secretary of the Senate

MLB
1118
251

COMMITTEE AMENDMENT NO. 1

Frank Madala

- 1 Amend H.J.R. 71 as follows:
- 2 On page 2, line 13, strike "may" and substitute "shall".

SENATE AMENDMENTS

99 MAY 18 PM 6:47

2nd Printing

HOUSE OF REPRESENTATIVES

By Homer, Lengefeld, Gallego, Keffer

H.J.R. No. 71

A JOINT RESOLUTION

1 proposing a constitutional amendment to provide for the number of
2 precincts that certain counties must create for justices of the
3 peace and constables.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 18(a), Article V, Texas Constitution, is
6 amended to read as follows:

7 (a) Each county in the State with a population of 50,000
8 [~~30,000~~] or more, according to the most recent federal census, from
9 time to time, for the convenience of the people, shall be divided
10 into not less than four and not more than eight precincts. Each
11 county in the State with a population of 18,000 or more but less
12 than 50,000 [~~30,000~~], according to the most recent federal census,
13 from time to time, for the convenience of the people, shall be
14 divided into not less than two and not more than eight [~~five~~]
15 precincts. Each county in the State with a population of less than
16 18,000, according to the most recent federal census, from time to
17 time, for the convenience of the people, shall be designated as a
18 single precinct or, if the Commissioners Court determines that the
19 county needs more than one precinct, shall be divided into not more
20 than four precincts. Notwithstanding the population requirements
21 of this subsection, Chambers County and Randall County, from time
22 to time, for the convenience of the people, shall be divided into
23 not less than two and not more than six precincts. A division or
24 designation under this subsection shall be made by the

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 13, 1999

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 71 by Homer (Proposing a constitutional amendment to provide for the number of precincts that certain counties must create for justices of the peace and constables.),
Committee Report 2nd House, as amended

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

The bill would allow a county with a population between 30,000 and 50,000 to have between two and eight precincts, and it would allow a county with a population between 18,000 and 30,000 to have as many as eight precincts, rather than the current maximum of five precincts. The bill would limit Randall County to a maximum of six precincts, as opposed to eight precincts under current law.

A county adding precincts could incur costs depending on the number of precincts added. Costs associated with maintaining a precinct are related to justice of the peace, constable and staff salaries. The average cost of maintaining a precinct is estimated at approximately \$200,000 per year, according to the Texas Association of Counties.

Source Agencies:

LBB Staff: JK, TL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 15, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 71 by Homer (Proposing a constitutional amendment to provide for the number of precincts that certain counties must create for justices of the peace and constables.),
Committee Report 1st House, as amended

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

The bill would allow a county with a population between 30,000 and 50,000 to have between two and eight precincts. The bill would also allow a county with a population between 18,000 and 30,000 to have as many as eight precincts, rather than the current maximum of five precincts.

A county adding precincts could incur costs, depending on the number of precincts added. Costs associated with maintaining a precinct are related to justice of the peace, constable and staff salaries. The average cost of maintaining a precinct is estimated at approximately \$200,000 per year, according to the Texas Association of Counties.

Source Agencies:

LBB Staff: JK, TL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 5, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 71 by Homer (Proposing a constitutional amendment to provide for the number of precincts that certain counties must create for justices of the peace and constables.), **As Introduced**

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

The bill would allow a county with a population between 30,000 and 50,000 to have between two and eight precincts, rather than the current minimum of four precincts. The bill would also allow a county with a population between 18,000 and 30,000 to have as many as eight precincts, rather than the current maximum of five precincts.

A county reducing the number of precincts could experience costs savings, depending on the number of precincts eliminated, while a county adding precincts could incur costs, depending on the number of precincts added. Costs associated with maintaining a precinct are related to justice of the peace, constable and staff salaries. The average cost of maintaining a precinct is estimated at approximately \$200,000 per year, according to the Texas Association of Counties.

Source Agencies:

LBB Staff: JK, TL

ENROLLED

H.J.R. No. 71

A JOINT RESOLUTION

1 proposing a constitutional amendment to provide for the number of
2 precincts that certain counties must create for justices of the
3 peace and constables.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 18(a), Article V, Texas Constitution, is
6 amended to read as follows:

7 (a) Each county in the State with a population of 50,000
8 [~~30,000~~] or more, according to the most recent federal census, from
9 time to time, for the convenience of the people, shall be divided
10 into not less than four and not more than eight precincts. Each
11 county in the State with a population of 18,000 or more but less
12 than 50,000 [~~30,000~~], according to the most recent federal census,
13 from time to time, for the convenience of the people, shall be
14 divided into not less than two and not more than eight [~~five~~]
15 precincts. Each county in the State with a population of less than
16 18,000, according to the most recent federal census, from time to
17 time, for the convenience of the people, shall be designated as a
18 single precinct or, if the Commissioners Court determines that the
19 county needs more than one precinct, shall be divided into not more
20 than four precincts. Notwithstanding the population requirements
21 of this subsection, Chambers County and Randall County, from time
22 to time, for the convenience of the people, shall be divided into
23 not less than two and not more than six precincts. A division or
24 designation under this subsection shall be made by the

1 Commissioners Court provided for by this Constitution. Except as
2 provided by [~~Subsection-(e)-of~~] this section, in each such precinct
3 there shall be elected one Justice of the Peace and one Constable,
4 each of whom shall hold his office for four years and until his
5 successor shall be elected and qualified; provided that in a county
6 with a population of less than 150,000, according to the most
7 recent federal census, in any precinct in which there may be a city
8 of 18,000 or more inhabitants, there shall be elected two Justices
9 of the Peace, and in a county with a population of 150,000 or more,
10 according to the most recent federal census, each precinct may
11 contain more than one Justice of the Peace Court. Notwithstanding
12 the population requirements of this subsection, any county that is
13 divided into four or more precincts on November 2, 1999, shall
14 continue to be divided into not less than four precincts.

15 SECTION 2. This proposed constitutional amendment shall be
16 submitted to the voters at an election to be held November 2, 1999.
17 The ballot shall be printed to permit voting for or against the
18 proposition: "The constitutional amendment to provide that certain
19 counties shall be divided into a specific number of precincts."

H.J.R. No. 71

President of the Senate

Speaker of the House

I certify that H.J.R. No. 71 was passed by the House on April 29, 1999, by the following vote: Yeas 144, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 71 on May 20, 1999, by the following vote: Yeas 145, Nays 1, 1 present, not voting.

Chief Clerk of the House

I certify that H.J.R. No. 71 was passed by the Senate, with amendments, on May 18, 1999, by the following vote: Yeas 29, Nays 1.

Secretary of the Senate

RECEIVED: _____

Date

Secretary of State

President of the Senate

Speaker of the House

I certify that H.J.R. No. 71[✓]
(1) was passed by the House
on April 29[✓]
(2), 1999, by the following vote:
Yeas 144[✓], Nays 0[✓], 1 present, not voting
(3) (4)
and that the House concurred in Senate amendments to H.J.R. No. 71[✓]
on May 20[✓]
(5), 1999, by the following
vote: Yeas 145[✓], Nays 1[✓], 1 present, not voting
(6) (7)

Chief Clerk of the House

**** Preparation: CT19;

I certify that H.J.R. No. 71[✓]
(1) was passed by the Senate, with
amendments, on May 18[✓]
(2), 1999, by the following
vote: Yeas 29[✓], Nays 1[✓]
(3) (4)

Secretary of the Senate

RECEIVED:

Date

Secretary of State

**** Preparation: CT20;

mmB

76TH LEGISLATURE

COAUTHOR AUTHORIZATION

(please request your coauthors to sign this form
in lieu of the front or the back of the original bill)

For chief clerk use only

Bill or Resolution Number: HJR 71

Mark S. Homer
signature of primary author

MARK S. Homer
printed name of primary author

2/9/99
Date

PERMISSION TO SIGN HJR 71 HAS BEEN GIVEN TO (check only one of the following):
(bill or resolution #)

☒ ALL REPRESENTATIVES

☐ THE FOLLOWING REPRESENTATIVE(S): _____

I authorize the Chief Clerk to include my name as a coauthor of the legislation indicated above:

A2120 Alexander	Date	A2600 Counts	Date	A2795 Farabee	Date
A2115 Allen	Date	A2605 Crabb	Date	A2810 Farrar	Date
A2105 Alvarado	Date	A2610 Craddick	Date	A2840 Flores	Date
A2135 Averitt	Date	A2615 Crownover	Date	A2920 Gallego	Date
A2160 Bailey	Date	A2645 Cuellar	Date	A2930 Garcia	Date
A2205 Berman	Date	A2635 Culberson	Date	A2940 George	Date
A2250 Bonnen	Date	A2670 Danburg	Date	A2935 Giddings	Date
A2275 Bosse	Date	A2620 Davis, John	Date	A2880 Glaze	Date
A2260 Brimer	Date	A2625 Davis, Yvonne	Date	A2985 Goodman	Date
A2265 Brown, Betty	Date	A2680 Delisi	Date	A2990 Goolsby	Date
A2270 Brown, Fred	Date	A3385 Denny	Date	A3005 Gray	Date
A2255 Burnam	Date	A2690 Deshotel	Date	A3000 Green	Date
A2300 Capelo	Date	A2705 Driver	Date	A3010 Greenberg	Date
A2400 Carter	Date	A2665 Dukes	Date	A3020 Grusendorf	Date
A2585 Chavez	Date	A2660 Dunnam	Date	A3030 Gutierrez	Date
A2480 Chisum	Date	A2650 Dutton	Date	A3035 Haggerty	Date
A2525 Christian	Date	A2770 Edwards	Date	A2695 Hamric	Date
A2520 Clark	Date	A2760 Ehrhardt	Date	A3160 Hardcastle	Date
A2435 Coleman	Date	A2775 Eiland	Date	A3170 Hartnett	Date
A2565 Cook	Date	A2785 Elkins	Date	A3345 Hawley	Date
A2595 Corte	Date	A2790 Ellis, Dan	Date	A3180 Heflin	Date

For chief clerk use only
Bill or Resolution Number: HJR 71

A3310 Hilbert	Date	A3715 Madden	Date	A4435 Shields	Date
A3250 Hilderbran	Date	A3750 Marchant	Date	A4445 Siebert	Date
A3275 Hill	Date	A2700 Maxey	Date	A4525 Smith	Date
A3270 Hinojosa	Date	A3665 McCall	Date	A4530 Smithee	Date
A3305 Hochberg	Date	A3650 McClendon	Date	A4550 Solis, Jim	Date
A3290 Hodge	Date	A3845 McReynolds	Date	A4560 Solis, Juan	Date
A3325 Homer	Date	A3840 Merritt	Date	A4505 Solomons	Date
A3320 Hope	Date	A3855 Moreno, Joe	Date	A4515 Staples	Date
A3315 Howard	Date	A3860 Moreno, Paul	Date	A4570 Swinford	Date
A3355 Hunter	Date	A3870 Morrison	Date	A4585 Talton	Date
A3360 Hupp	Date	A3865 Mowery	Date	A4605 Telford	Date
A3375 Isett	Date	A3885 Naishtat	Date	A4630 Thompson	Date
A3415 Janek	Date	A3890 Najera	Date	A4635 Tillery	Date
A3410 Jones, Charles	Date	A3895 Nixon, Joe	Date	A4650 Truitt	Date
A3405 Jones, Delwin	Date	A3900 Noriega	Date	A2730 Turner, Bob	Date
A3400 Jones, Jesse	Date	A3880 Oliveira	Date	A4685 Turner, Sylvester	Date
A3440 Junell	Date	A3886 Olivo	Date	A4690 Uher	Date
A3475 Keel	Date	A4010 Palmer	Date	A4695 Uresti	Date
A3480 Keffer	Date	A4180 Pickett	Date	A4720 Van de Putte	Date
A3470 King, Phil	Date	A4185 Pitts	Date	A4990 Walker	Date
A3465 King, Tracy	Date	A4200 Puentes	Date	A4995 West, George "Buddy"	Date
A3485 Krusee	Date	A4210 Ramsay	Date	A5035 Williams	Date
A3450 Kuempel	Date	A4240 Rangel	Date	A5000 Wilson	Date
A3510 Laney	Date	A4245 Reyna, Arthur	Date	A5020 Wise	Date
A3520 Lengefeld	Date	A4236 Reyna, Elvira	Date	A5015 Wohlgemuth	Date
A3605 Lewis, Glenn	Date	A4250 Ritter	Date	A4980 Wolens	Date
A3600 Lewis, Ron	Date	A4370 Sadler	Date	A5005 Woolley	Date
A3615 Longoria	Date	A4380 Salinas	Date	A5025 Yarbrough	Date
A3620 Luna, Vilma	Date	A4420 Seaman	Date	A5040 Zbraneck	Date

JOINT AUTHOR AUTHORIZATION

As primary author of HR 71 I hereby authorize the following joint author(s):
(bill or resolution #)

DAVID LENGEBEL
printed name of joint author #1

David Lengebel
signature of joint author #1

PETE GALLEGOS
printed name of joint author #2

Pete P. Gallegos
signature of joint author #2

Jim KEFFER
printed name of joint author #3

Jim Keffer
signature of joint author #3

printed name of joint author #4

signature of joint author #4

Mark Hamer
signature of primary author

3/25/99
date

ORIGINAL FORM--Place in book

SEND COPIES TO:
Debbie Irvine (Legislative Council)
Legislative Reference Library
House Journal

Proposing a constitutional amendment to provide for the number of precincts that certain counties must create for justices of the peace and constables.

MAR 09 1999 Filed with the Chief Clerk : County Affairs

MAR 10 1999 Read first time and referred to Committee on _____

APR 14 1999 Reported favorably (as amended)
(~~as substitute~~)

APR 21 1999 Sent to Committee on Calendars

APR 29 1999 Read second time (~~committee report~~) (amended) and adopted (~~passed to third reading~~) by a record vote of 144 yeas, 0 nays, 1 present, not voting

Read third time (amended) and finally adopted (failed of adoption) by a record vote of _____ yeas, _____ nays, _____ present, not voting

APR 30 1999 Engrossed

APR 30 1999 Sent to Senate

Sharon Carter
CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

APR 30 1999 Received from the House

MAY 03 1999 Read and referred to Committee on INTERGOVERNMENTAL RELATIONS

MAY 14 1999 Reported favorably as amended

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

MAY 18 1999 Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(_____ yeas, _____ nays)

MAY 18 1999 Read second time, amended, and passed to third reading by (unanimous consent)
(a viva voce vote)
(_____ yeas, _____ nays)

MAY 18 1999 Senate and Constitutional 3 Day Rules suspended by a vote of 29 yeas, 0 nays

MAY 18 1999 Read third time, _____, and passed by 29 yeas, 1 nays

May 18, 1999 Returned to the House

Betty King
SECRETARY OF THE SENATE

OTHER SENATE ACTION:

MAY 18 1999

Returned from the Senate ~~(as substituted)~~
(with amendments)

MAY 20 1999

House concurred in Senate amendments by a ~~(non-record vote)~~
(record vote of 145 yeas, 1 nays, 1 present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

House conferees appointed: _____, Chair; _____,
_____, _____, _____

Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____

Conference committee report adopted (rejected) by the House by a record vote of
_____ yeas, _____ nays, _____ present, not voting

Conference committee report adopted (rejected) by the Senate by a record vote of
_____ yeas, _____ nays

MAY 18 PM 6:47

U.S. REPRESENTATIVE